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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/458,369	12/09/1999	Tad Dennis Brockway	MSI-436US	8771

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EXAMINER

HUNT, ERIC T

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 09/11/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/458,369

Applicant(s)

BROCKWAY ET AL.

Examiner

Eric T. Hunt

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 18 objected to because of the following informalities: Claim 18 is in improper dependant form. For the purpose of examination claim 18 is interpreted to be dependant on claim 14. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The term "significant" in claims 3, 27, 40, and 43 is a relative term which renders the claim indefinite. The term "significant" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For the purpose of examination the term significant will not be read into the claim language.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

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122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1, 8, 12-14, 23, 25, 30, 33, 36, 42, and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,424,424.

6. Regarding claim 1, Lomas teaches installing server support [**Lomas column 2, line 42**] for a peripheral device attached at the client [**Lomas figure 1 printer 12 attached to client processor 14**]

transmitting [**Lomas column 3, lines 39-40 dispatching**] server support configuration information [**Lomas column 3, lines 4-10 necessary parameter**] related to the peripheral device to the client [**Lomas column 3, lines 39-40 respective client**]; and

storing the transmitted server support configuration information at the client [**Lomas column 3, lines 21-23 loaded into memory**].

7. Regarding claim 8, Lomas teaches the invention as claimed as noted above. Lomas further teaches wherein the peripheral device comprises a printer [**Lomas column 2, lines 33-35**].

8. Regarding claim 12, Lomas teaches the invention as claimed as noted above. Lomas further teaches wherein the configuration information includes one or more of the following: peripheral device name, port name, queue name, queue redirection information, redirected port information, and driver name [**Lomas column 4, lines 2-3 printer's name**].

9. Claims 13, 14, 25 and 36 are apparatus corresponding to the method claimed in claim 1; therefore claims 13, 14, 25, and 36 are rejected under the same rationale.

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10. Claims 23, 30, and 45 contain similar limitations corresponding to the method claimed in claim 8; therefore claims 23, 30, and 45 are rejected under the same rationale.

11. Claim 33 is a system corresponding to the methods claimed in claim 1 and 12; therefore claim 33 is rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

**(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.**

13. Claims 2-7, 17-19, 21, 22, 28, 29, 34, 37, 26, 27, 40, 41, 43, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,424,424 to Lomas, and further in view of U.S. Patent No. 6,88,790 to Yellepeddy. 6288790

14. Regarding claim 2, Lomas teaches the invention substantially as claimed as noted above. Lomas teaches transmitting the server support configuration information from the client to the server [Lomas column 3, lines 59-61]. Lomas does not teach reconnection of the client and the server. However, in art related to print support for mobile data processing systems, Yellepeddy teaches detecting reconnection of the data processing system to the selected printer or print server [Yellepeddy column 1, lines 60-62]. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings Lomas with the teachings of Yellepeddy because disconnections from the network have no effect on the user.

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15. Regarding claim 3, Lomas and Yellepeddy teach the invention substantially as claimed as noted above. Lomas further teaches establishing a new connection between the client and the server **[Lomas column 3, line 19 logging on to email server];**

transmitting the configuration information stored at the client to the server **[Lomas column 3, lines 59-61];**

utilizing the transmitted configuration information at the server to automatically restore the server support for the peripheral device without requiring interaction from a user **[Lomas column 3, lines 27-35 without requiring further user interaction & figure 1, controlling software 26-36].**

Yellepeddy further teaches disconnecting the client from the server. **[Yellepeddy column 3, lines 58-60 & column 4, lines 11-15 mobile print mode wherein the client data processing may be physically disconnected from the network connected containing the remote printer queue].**

16. Regarding claim 4, Lomas and Yellepeddy teach the invention substantially as claimed as noted above. Thus, claim 4 is rejected under the same rationale. Lomas and Yellepeddy further teach a different server. **[Yellepeddy teaches the user may shift a transient printer queue to replay print jobs to a different remote printer queue on a different server column 6, lines 63-67].**

17. Regarding claim 5, Lomas and Yellepeddy teach the invention substantially as claimed as noted above. Lomas and Yellepeddy further teaches the peripheral device having peripheral device settings, the method further comprising:

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transmitting the peripheral device settings from the client to the server upon the establishment of a connection between the client and the server [**Lomas column 3, lines 59-61**];

transmitting the peripheral device settings [**Lomas column 4, lines 2-6 printer object created from SLP packet**] from the server to the client together with the configuration information [**Lomas column 4, lines 5-12 & 17-18**]; and

storing the peripheral device settings at the client [**Lomas column 3, lines 21-23**].

18. Regarding claim 6, Lomas and Yellepeddy teach the invention substantially as claimed as noted above. Lomas and Yellepeddy further teach retransmitting the peripheral device settings from the client to the server whenever a peripheral device setting is changed [**Lomas column 4, lines 52-55**].

19. Claims 22, 29, and 38 contain similar limitations corresponding to the method claimed in claim 6; therefore claims 22, 29, and 38 are rejected under the same rationale.

20. Regarding claim 7, Lomas teaches the invention substantially as claimed as noted above. Lomas further teaches wherein the peripheral device settings are transmitted contemporaneously with the configuration information [**Lomas column 3, lines 7-8 & column 4, lines 5-12 & 17-18 necessary parameters and SLP packet are downloaded by client**].

21. Claims 17-19, 21, 28, 34, 37, and 44 contain similar limitations corresponding to the method claimed in claim 5; therefore claims 17-19, 21, 28, 34, 37, and 44 are rejected under the same rationale.

22. Claims 26 & 40 and 27 & 41 contain similar limitations corresponding to the method claimed in claims 3 and 4; therefore claim 26 and 27 are rejected under the same rationale.

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23. Claim 43 is an apparatus corresponding to the method claimed in claim 3; therefore claim 43 is rejected under the same rationale.

24. Claims 9, 10, 15, 31, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,424,424 to Lomas, and further in view of U.S. Patent No. 6,131,134 to Huang and U.S. Patent No. 6,301,012 to White.

25. Regarding claim 9, Lomas teaches the invention substantially as claimed as noted above.

Lomas does not teach uninstalling server support for the peripheral device attached at the client; However in art related to hot plug n play, Huang teaches disabling related drivers corresponding to uninstalling server support [**Huang column 5, line 47**].

Huang further teaches transmitting new server support configuration information to the client [**Huang column 5, line 41-42**], the new server support configuration information indicating that server support for the peripheral device has been uninstalled [**Huang column 8, lines 35-36**]; and

Lomas nor Huang teach deleting the stored configuration information related to the uninstalled to peripheral device from the client. However in art related to automatic configuration of network peripherals, White teaches when configuration parameters change, modifying configuration parameters accordingly [**White column 4, lines 42-46**]. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lomas with the teachings of Huang and White because detecting uninstalled server support and updating configurations dynamically allows for consistent, accurate network information.



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26. Regarding claim 10, Lomas, Huang, and White teach the invention substantially as claimed as noted above. Lomas, Huang, and White teach wherein the deleting is accomplished by overwriting the stored configuration information with the new server configuration information [**White column 4, lines 42-46**].

27. Claims 15 and 39 contain similar limitations corresponding to the method claimed in claim 9; therefore claims 15 and 39 are rejected under the same rationale.

28. Claim 31 is a system corresponding to the method claimed in claims 9 and 10; therefore claim 31 is rejected under the same rationale.

29. Claims 16 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,424,424 to Lomas and U.S. Patent No. 6,88,790 to Yellepeddy, as applied to claim 5 above and further in view of U.S. Patent No. 6,131,134 to Huang and U.S. Patent No. 6,301,012 to White.

30. Claim 16 contains similar limitations corresponding to the method claimed in claims 2 and 9; therefore claim 16 is rejected under the same rationale.

31. Claim 35 contains similar limitations corresponding to the method claimed in claims 3 and 9; therefore claim 35 is rejected under the same rationale.

32. Claims 11, 24, 32, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,424,424 to Lomas, and further in view of U.S. Patent No. 6,301,012 to White.

33. Regarding claim 11, Lomas & White teach the invention substantially as claimed as noted above. Lomas & White further teach renaming a queue associated with the peripheral device that was created when the peripheral device was installed on the server [**White column 4, lines 49-58 proper print queue is created**];

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transmitting subsequent configuration information from the server to the client, the configuration information denoting the renamed queue [**Lomas column 4, lines 8-12**]; and

storing the subsequent configuration information denoting the renamed queue at the client [**Lomas column 3, lines 21-23**].

34. Claims 24 and 46 contain similar limitations corresponding to the method claimed in claim 11; therefore claims 24 and 46 are rejected under the same rationale.

35. Regarding claim 32, Lomas and White teach the invention substantially as claimed as noted above. Lomas and White further teach wherein the server is further configured to create a virtual port that is utilized by the client [**White column 4, lines 17-20**], and

include information regarding the virtual port in the configuration information sent to the client [**Lomas column 4, lines 2-3 SLP packet info**].

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*Conclusion*

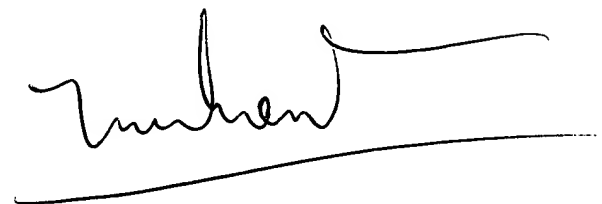
36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric T. Hunt whose telephone number is 703-305-4868. The examiner can normally be reached on 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

E.H.  
September 5, 2002

A handwritten signature in black ink, appearing to read 'Le Hien Luu', written over a horizontal line.

LE HIEN LUU  
PRIMARY EXAMINER